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TRANSMITTAL
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission	Application Number 10/644,252
	Filing Date August 20, 2003
	First Named Inventor Thomas Zdeblick
	Art Unit 3731
	Examiner Name Julian W. Woo
	Attorney Docket Number MSDI-224/PC242.38

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
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Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Krieg DeVault LLP		
Signature			
Printed name	Brad A. Schepers		
Date	July 5, 2006	Reg. No.	45,431

CERTIFICATE OF TRANSMISSION/MAILING

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:) Before the Examiner
Thomas Zdeblick et al.) Julian W. Woo
)
Serial No. 10/644,252) Group Art Unit 3731
)
Filed August 20, 2003) Ref. No. MSDI-224/ PC242.38
)
INTERBODY FUSION DEVICE AND) July 5, 2006
METHOD FOR RESTORATION OF)
NORMAL SPINAL ANATOMY)

RESPONSE TO NON-FINAL OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the non-final Office Action dated April 5, 2006, please enter and consider the following amendments and remarks. No extension fees are believed to be due with regard to the filing of this Response. However, please provide any extensions of time necessary and charge any additional fees which may be necessary to Deposit Account No. 12-2424, but not to include any payment of issue fees.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:
July 5, 2006
Date of Deposit
Brad A. Schepers
Name of Registered Representative
Signature
July 5, 2006
Date of Signature

INTRODUCTORY COMMENTS

Claims 19-25 and 27-50 are pending in the subject application. Claims 19-25, 27, 30-46, 49 and 50 stand rejected. Claims 28, 29, 47 and 48 have been objected to, but have been indicated as allowable if rewritten in independent form. In view of the following amendments and remarks, reconsideration and allowance of the subject application are hereby requested.